

Message Text

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ORIGIN ARA-06

INFO OCT-01 ISO-00 L-01 SCA-01 SS-14 /023 R

DRAFTED BY ARA/CEN:DLAZAR:PW

APPROVED BY ARA/CEN:DLAZAR

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FM SECSTATE WASHDC

TO AMEMBASSY SAN JOSE IMMEDIATE

C O N F I D E N T I A L STATE 124766

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E.O. 11652: GDS

TAGS: EGEN, CS

SUBJECT: FACIO MEETING WITH SEC, JUSTICE

REFERENCE: SAN JOSE 2170

1. FACIO MET FOR TWO HOURS ON MAY 16 WITH ELLIOT SAGOR, U.S. ATTORNEY'S OFFICE, SOUTHERN DISTRICT, N.Y. AND TOM ROSS, SEC (N.Y. OFFICE). MEETING HELD AT COSTA RICAN EMBASSY AT FACIO'S SUGGESION. LAZAR ATTENDED.

2. QUESTIONING REVOLVED AROUND FORMATION, PURPOSES OF INTER-AMERICAN CAPITOL, S.A. AND RELATIONS WITH PHOENIX, S.A. (PANAMA). FACIO ATTEMPTED TO PROJECT IMAGE OF OPEN COOPERATION BUT HAD SERIOUS PROBLEMS REMEMBERING MANY OF THE EVENTS REFERRED TO. IN A NUMBER OF CASES SAGOR AND ROSS PROVIDED MEMORY AIDS IN THE FORM OF COPIES OF LEGAL OPINIONS OR OTHER DOCUMENTS FACIO HAD SIGNED, USUALLY AFTER HE HAD DENIED ANY KNOWLEDGE OF THE EVENTS REFERRED TO. THIS WAS DONE IN A LOW-KEYED, "HELPFUL" MANNER AND NEVER IN THE BULLYING OR BADGERING FASHION OF A PERRY MASON CROSS-EXAMINING A WITNESS. ALTHOUGH FACIO COULD NOT

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HAVE BEEN VERY COMFORTABLE THROUGH MUCH OF THE INTERVIEW,

HE REMAINED COURTEOUS AND COMPOSED. DISCOMFORT, IF THAT'S WHAT IT WAS, WAS MANIFESTED ONLY BY FREQUENT GLANCES AT HIS WATCH, A TERMINAL HOUR FOR THE INTERVIEW HAVING BEEN ESTABLISHED AS THE FIRST ORDER OF BUSINESS.

3. SAGOR AND ROSS, IN SUBSEQUENT CONVERSATION WITH LAZAR, INDICATED THEY WERE SATISFIED THAT THEY HAD GOTTEN AS MUCH AS THEY WERE LIKELY TO GET THROUGH VOLUNTARY INTERVIEW WHICH WASN'T VERY MUCH. THEY STILL ARE CONSIDERING REQUESTING FACIO TO APPEAR BEFORE GRAND JURY. THEY ARE AWARE THIS WILL HAVE TO BE VOLUNTARY ON HIS PART.

4. LETTER RE ABOVE POUCHED PREVIOUSLY. INGERSOLL

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Message Attributes

Automatic Decaptioning: Z
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: MEETING AGENDA, DIPLOMATIC DISCUSSIONS, MEETING REPORTS
Control Number: n/a
Copy: SINGLE
Draft Date: 29 MAY 1975
Decaption Date: 28 MAY 2004
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: GolinoFR
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975STATE124766
Document Source: CORE
Document Unique ID: 00
Drafter: DLAZAR:PW
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D750188-0003
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t1975058/aaaaahm.tel
Line Count: 75
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN ARA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: LIMDIS
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: LIMDIS
Reference: 75 SAN JOSE 2170
Review Action: RELEASED, APPROVED
Review Authority: GolinoFR
Review Comment: n/a
Review Content Flags:
Review Date: 08 SEP 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <08 SEP 2003 by CunninFX>; APPROVED <13 NOV 2003 by GolinoFR>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: FACIO MEETING WITH SEC, JUSTICE
TAGS: EGEN, CS, (FACIO SEGREDA, GONZALO), (ROSS, TOM), (SAGOR, ELLIOT)
To: SAN JOSE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006